

**Commonwealth of Kentucky
Environmental and Public Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

Draft

**AIR QUALITY PERMIT
Issued under 401 KAR 52:020**

Permittee Name: Trace Die Cast, Inc.
Mailing Address: 140 North Graham Avenue, Bowling Green, KY
42101

Source Name: Trace Die Cast, Inc.
Mailing Address: Same as above

Source Location: Same as above

Permit: V-07-045, Renewal
Agency Interest: 4142
Activity: APE20070001
Review Type: Title V, Construction / Operating
Source ID: 21-227-00085

Regional Office: Bowling Green Regional Office
1508 Westen Avenue
Bowling Green, KY 42104
(270) 746-7475

County: Warren

Application
Complete Date: December 4, 2007
Issuance Date:
Revision Date:
Expiration Date:

**John S. Lyons, Director
Division for Air Quality**

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	Rev#	Permit type	Log #	Complete Date	Issuance Date	Summary of Action
V-01-006	---	Initial Issuance	50840	3/7/01	8/1/02	Permit Issuance
V-01-006 Rev1	1	Title V Revision	56331	12/01/04	7/27/05	Addition of points to each major category
V-07-045	---	Title V Renewal	56331	12/04/07		Permit renewal

SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application the Kentucky Division for Air Quality hereby authorizes the construction and operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in 401 KAR 52:020, Title V Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B - AFFECTED FACILITIES, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Group Requirements: **Group 1**

Emission point:	Melting rate (tons of ingots / hour / furnace):	Salt fluxing rate (lb of flux salt / hour / furnace):	Maximum continuous rating (mmbtu / hour / furnace):	Construction commenced:
101(CF1) Central Melt Furnace 1	2	0.833	8.0	May 28, 1992
102(CF2) Central Melt Furnace 2				November 24, 1993
104(CF4) Central Melt Furnace 4	2.5		10.0	March 5, 1998
105(CF5) Central Melt Furnace 5	3			
106(CF6) Central Melt Furnace 6				November 1, 2007

Description:

Each emission point is a natural gas-fired reverberatory melt furnace, which melts clean aluminum as well as clean scrap from the Die Cast Machines and performs molten aluminum fluxing with chloride/fluoride based flux salt. There is no control equipment for all the furnaces. Each furnace has 2 individual stacks through which the emissions exhaust.

APPLICABLE REGULATIONS:

- a. 401 KAR 59:010 – New process operations. Applicable to particulate and visible emissions from each emission point.
- b. 401 KAR 63:020 – Potentially hazardous matter or toxic substances. Applicable to emissions of hazardous air pollutants (HAPs) from each emission point, specifically, chromium, lead, manganese, nickel, HCl, and HF.

1. Operating Limitations:

The permittee shall melt only clean aluminum ingots and clean scrap from the DCMs.

2. Emission Limitations:

Pursuant to Regulation 401 KAR 59:010:

- a. Visible emissions from each emission point shall not equal or exceed 20 percent opacity, as determined with Reference Method 9, Appendix A 40 CFR 60.
- b. Hourly particulate emissions from each emission point as measured by Reference Method 5, Appendix A 40 CFR 60, shall not exceed the limit calculated by the following equation:

$$E = 3.59 P^{0.62}$$

Where E is the particulate emission in lbs/hour and P is the process weight of aluminum ingots in tons/hour.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**COMPLIANCE DEMONSTRATION:**

The process weight shall be determined in average hourly tons by averaging the monthly aluminum process weight rate over monthly hours of operation. Particulate emissions shall be calculated by the following equation:

$$E = P \times EF/2000$$

Where E is particulate emissions in tons/month, P is process weight of aluminum ingots in tons/month and EF is the KYEIS particulate emission factor in lbs/ton of aluminum ingots.

3. Testing Requirements:

Pursuant to Regulations 401 KAR 59:005, Section 2(2) and 401 KAR 50:045, Section 1, performance testing using the Reference Methods specified in Regulation 401 KAR 50:015 shall be conducted as required by the Division.

4. Specific Monitoring Requirements:

For each emission point:

- a. To provide reasonable assurance that the particulate matter emission limitations are being met pursuant to 401 KAR 59:010, the permittee shall monitor the following:
 - i. The monthly rates and types of materials processed, specifically, the aluminum ingots and flux salts.
 - ii. The monthly total hours of operation.
- b. To provide reasonable assurance that the visible emission limitations are being met pursuant to 401 KAR 59:010, the permittee shall:
 - i. Perform a qualitative visual observation of the opacity of emissions from each stack/vent on a weekly basis and maintain a log of the observation. See 5. Recordkeeping Requirements.
 - ii. Determine the opacity of emissions by Reference Method 9 if visible emissions are observed from any stack/vent.
- c. In addition, the permittee shall monitor emissions of each HAP by the following equation:

$$E = P \times EF/2000$$

Where E is HAP emissions in tons/month, P is process weight of aluminum ingots in tons/month and EF is the KYEIS HAP emission factor in lbs/ton of aluminum ingots.

5. Specific Recordkeeping Requirements:

For each emission point:

- a. The permittee shall keep records of the following:
 - i. The monthly rates and types of materials processed.
 - ii. The monthly total hours of operation.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

- b. The permittee shall keep records of Method 9 opacity tests and maintain a log of qualitative visual observations performed. The log shall note:
 - i. Whether any air emissions (except for water vapor) were visible from the vent/stack.
 - ii. All emission points from which visible emissions occurred.
- c. The permittee shall keep records of emissions for each HAP.

5. Specific Reporting Requirements:

None

6. Specific Control Equipment Operating Conditions:

None

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Group Requirements: Group 2 and Group 3

Emission point:	Holding rate (tons of molten aluminum / hour / furnace):	Salt fluxing rate (lb of flux salt / hour / furnace):	Maximum continuous rating (mmbtu / hour / furnace):	Construction commenced:
203 HF 6042	0.625	0.06	0.33	September 1, 2005
215 HF 6052				January 1, 2007
208 HF 5053				September 1, 2006
212 HF 6033				June 1, 2007
213 HF 6034				
214 HF 6035				
209 HF 5009	February 1, 1996			
210 HF 2510	March 1, 1995			
311 HF 5011	November 1, 1992			
316 HF 2516	December 1, 1994			
221 HF 5021	February 1, 1999			
222 HF 5022				
223 HF 5023				
224 HF 5024				
225 HF 5025				
234 HF 5001				February 22, 2002
235 HF 5002				February 1, 2003
236 HF 5003				September 1, 2005
231 HF 5004				June 30, 1999
232 HF 2506				October 10, 2003
233 HF 5007	September 1, 2003			
241 HF 2508	0.25		December 1, 2005	
242 HF 2515			November 1, 1993	
243 HF 5043			December 1, 2002	
244 HF 5044			June 10, 2000	
245 HF 5045			January 1, 2003	
251 HF 5012			June 1, 2007	
252 HF 5014			May 5, 2000	
253 HF 5015			January 1, 1999	
254 HF 5054			June 1, 2006	
255 HF 5055			April 1, 2006	
261 HF 6031	1.5		0.33	October 1, 2003
262 HF 6032				April 15, 2005
263 HF 6041				January 1, 2007
264 HF 6051				

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

Emission point:	Casting rate (tons of molten aluminum / hour / caster):	Casting lubricants used for each caster:	Lubricant usage rate for each caster:	Construction commenced:
303 DCM 42-10394214	0.625		0.188 gal/hour 0.076 gal/hour 0.195 gal/hour 0.02 lb/hour 0.016 gal/hour	September 1, 2005
315 DCM 52-10417042				January 1, 2007
308 DCM 53-10415641			0.282 gal/hour 0.114 gal/hour 0.292 gal/hour 0.031 lb/hour 0.024 gal/hour	September 1, 2006
312 DCM 33-10438959				June 1, 2007
313 DCM 34-10438961				
314 DCM 35-10438960				
309 DCM 9-95177	0.50	Die Slick #1515 Plunger Slick #450 Hydro Slick #FR-200 Chevron EP2 Grease Chevron 220 Way Oil	0.375 gal/hour 0.152 gal/hour 0.390 gal/hour 0.041 lb/hour 0.032 gal/hour	February 1, 1996
310 DCM 10-94458				March 1, 1995
311 DCM 11-97192				November 1, 1992
316 DCM 16-94366				December 1, 1994
321 DCM 21-10314131				February 1, 1999
322 DCM 22-10314130				
323 DCM 23-10306673				
324 DCM 24-10306672				February 22, 2002
325 DCM 25-10306671				
334 DCM 1-10335843				February 1, 2003
335 DCM 2-10346449				September 1, 2005
336 DCM 3-10395007				June 30, 1999
331 DCM 4-10306728				October 10, 2003
332 DCM 6-10369022				September 1, 2003
333 DCM 7-10368991				December 1, 2005
341 DCM 8-10395017				November 1, 1993
342 DCM 15-93268				December 1, 2002
343 DCM 43-10369023		Die Slick #1515 Plunger Slick #450 Hydro Slick #FR-200 Chevron 220 Way Oil	0.375 gal/hour 0.152 gal/hour 0.390 gal/hour 0.007 gal/hour	June 10, 2000
344 DCM 44-10346396				January 1, 2003
345 DCM 45-10346448				June 1, 2007
351 DCM 12-10438758				May 5, 2000
352 DCM 14-10318859				January 1, 1999
353 DCM 15-10322594				June 1, 2006
354 DCM 54-10412524				April 1, 2006
355 DCM 55-10412524				
361 DCM 31-10335855		Die Slick #1515 Plunger Slick #450 Hydro Slick #FR-200 Chevron 220 Way Oil	1.125 gal/hour 0.456 gal/hour 1.170 gal/hour 0.021 gal/hour	October 1, 2003
362 DCM 32-10346397				April 15, 2005
363 DCM 41-10381002				January 1, 2007
364 DCM 51-10419936				

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Description:**

Emission points in the 200 series are holding furnaces which hold the molten aluminum before feeding it to corresponding die cast machines in the 300 series. Each holding furnace is natural gas-fired and performs molten aluminum fluxing with chloride/fluoride based flux salt. Each caster uses 5 casting lubricants to cast molten aluminum into aluminum parts. All the holding furnaces and casters have no control equipment and vent through 2 different vents in the ceiling of the die cast areas.

APPLICABLE REGULATIONS:

401 KAR 63:020 – Potentially hazardous matter or toxic substances. Applicable to emissions of hazardous air pollutants (HAPs) from each emission point, specifically, chromium, lead, manganese, nickel, HCl, and HF from the holding furnaces, and diethylene glycol from the die cast machines.

1. Operating Limitations:

None

2. Emission Limitations:

None

3. Testing Requirements:

None

4. Specific Monitoring Requirements:

For each emission point, the permittee shall monitor emissions of each HAP by the following equation:

$$E = P \times EF/2000$$

Where E is HAP emissions in tons/month, P is process weight of molten aluminum in tons/month and EF is the KYEIS HAP emission factor in lbs/ton of molten aluminum.

For the Holding furnaces listed above:

- a. The monthly rates flux salts processed shall be monitored and recorded and shall be used to calculate the HAP emissions.

5. Specific Recordkeeping Requirements:

For each emission point, the permittee shall keep records of monthly emissions for each HAP.

6. Specific Reporting Requirements:

None

7. Specific Control Equipment Operating Conditions:

None

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Group Requirements: Group 4**

Emission point:	Process waste water rate (gallons / hour / evaporator):	Maximum continuous rating (mmbtu / hour / evaporator):	Construction commenced:
403(Evap3) Evaporator 4	130	1.50	May 28, 1992
404(Evap4) Evaporator 3			March 7, 2001
405(Evap5) Evaporator 2			August 1, 2002
406(Evap6) Evaporator 1			January 1, 2008
407(Evap7) Evaporator 5			
408(Evap8) Evaporator 6			

Description:

Each emission point is a natural gas-fired evaporator, which separates oil from the oil-water effluent of the die casting process. Each evaporator is equipped with a stack and there is no control equipment for all evaporators.

APPLICABLE REGULATIONS:

- a. 401 KAR 63:020 – Potentially hazardous matter or toxic substances. Applicable to emissions of hazardous air pollutant (HAP) from each emission point, specifically, diethylene glycol.

1. Operating Limitations:

None

2. Emission Limitations:

None

3. Testing Requirements:

None

4. Specific Monitoring Requirements:

For each emission point, the permittee shall monitor emissions of HAP by the following equation:

$$E = P \times EF / 2000$$

Where E is HAP emissions in tons/month, P is process volume of process wastewater in gals/month and EF is the KYEIS HAP emission factor in lbs/gal of process wastewater.

5. Specific Recordkeeping Requirements:

For each emission point, the permittee shall keep records of emissions for HAP.

6. Specific Reporting Requirements:

None

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

7. Specific Control Equipment Operating Conditions:
None

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)**Group Requirements: Group 5**

Emission point:	Shot blasting rate (tons of aluminum castings / hour / shot blaster):	Steel shots usage rate: (lbs of steel shots / hour / shot blaster):	Construction commenced:
504(SB4) Shot Blast Machine 4	3.75	72	June 1, 2006
505(SB5) Shot Blast Machine 5			September 1, 2006

Description:

Each emission point is a shot blast machine, which polishes the aluminum castings with abrasive steel shots. 504 and 505 are equipped with one cartridge dust collector to control particulate emissions and a stack through which the emissions exhaust.

APPLICABLE REGULATIONS:

- a. 401 KAR 59:010 – New process operations. Applicable to particulate and visible emissions from each emission point.
- b. 401 KAR 63:020 – Potentially hazardous matter or toxic substances. Applicable to emissions of hazardous air pollutant (HAP) from each emission point, specifically, manganese.

1. Operating Limitations:

None

2. Emission Limitations:

Pursuant to Regulation 401 KAR 59:010:

- a. Visible emissions from each emission point shall not equal or exceed 20 percent opacity, as determined with Reference Method 9, Appendix A 40 CFR 60.
- b. Hourly particulate emissions from each emission point as measured by Reference Method 5, Appendix A 40 CFR 60, shall not exceed the limit calculated by the following equation:

$$E = 3.59 P^{0.62}$$

Where E is the particulate emission in lbs/hour and P is the process weight of steel shots in tons/hour.

COMPLIANCE DEMONSTRATION:

The process weight shall be determined in average hourly tons by averaging the monthly steel shots process weight rate over monthly hours of operation. Particulate emissions shall be calculated by the following equation:

$$E = P \times EF/2000$$

Where E is particulate emissions in tons/month, P is process weight of steel shots in tons/month and EF is the KYEIS particulate emission factor in lbs/ton of steel shots.

SECTION B - EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS (CONTINUED)

3. Testing Requirements:

None

4. Specific Monitoring Requirements:

For each emission point:

- a. To provide reasonable assurance that the particulate matter emission limitations are being met pursuant to 401 KAR 59:010, the permittee shall monitor the following:
 - i. The monthly rates and types of materials processed, specifically, the aluminum castings and steel shots.
 - ii. The monthly total hours of operation.
- b. To provide reasonable assurance that the visible emission limitations are being met pursuant to 401 KAR 59:010, the permittee shall:
 - i. Perform a qualitative visual observation of the opacity of emissions from each stack/vent on a weekly basis and maintain a log of the observation. See 5. Recordkeeping Requirements.
 - ii. Determine the opacity of emissions by Reference Method 9 if visible emissions from any stack/vent are observed.
- c. In addition, the permittee shall monitor emissions of HAP by the following equation:

$$E = P \times EF/2000$$

Where E is HAP emissions in tons/month, P is process weight of steel shots in tons/month and EF is the KYEIS HAP emission factor in lbs/ton of steel shots.

5. Specific Recordkeeping Requirements:

For each emission point:

- a. The permittee shall keep records of the following:
 - i. The monthly rates and types of materials processed.
 - ii. The monthly total hours of operation.
- b. The permittee shall keep records of Method 9 opacity tests and maintain a log of qualitative visual observations performed. The log shall note:
 - i. Whether any air emissions (except for water vapor) were visible from the vent/stack.
 - ii. All emission points from which visible emissions occurred.
- a. The permittee shall keep records of emissions for HAP.

6. Specific Reporting Requirements:

None

7. Specific Control Equipment Operating Conditions:

None

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to 401 KAR 52:020, Section 6. While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

Description

Generally Applicable Regulation

601(PH1) Pre-heater for aluminum ingots

None

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. As required by the material incorporated by reference by 401 KAR 52:020, Section 1; compliance with annual emissions and processing limitations imposed contained in this permit, shall be based on emissions and processing rates for any twelve (12) consecutive months.
2. Combined HAPS shall be less than 22.5 tons and any single HAP emissions shall be less than 9.0 tons per rolling 12 twelve- month period.

Monthly HAP emission from all the HAP emitting affected facilities shall be calculated and shall be used to calculate the annual emission rate:

Monthly HAP emission = Σ (Monthly usage of any HAP containing materials in pounds or gallons per month X Emission factor listed in Kentucky Emission Inventory or engineering estimates approved by Division)

Annual Emission Rate = Sum of any consecutive twelve (12) months.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements.
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement;
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [401 KAR 52:020 Section 3(h)]
3. In accordance with the requirements of 401 KAR 52:020 Section 3(h) the permittee shall allow authorized representatives of the Cabinet to perform the following during reasonable times:
 - a. Enter upon the premises to inspect any facility, equipment (including air pollution control equipment), practice, or operation.
 - b. To access and copy any records required by the permit.
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
 - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements.

Reasonable times are defined as during all hours of operation, during normal office hours; or during an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

5. Summary reports of any monitoring required by this permit, other than continuous emission or opacity monitors, shall be submitted to the division's Bowling Green Regional Office at least every six (6) months during the life of this permit, unless otherwise stated in this permit. For emission units that were still under construction or which had not commenced operation at the end of the 6-month period covered by the report and are subject to monitoring requirements in this permit, the report shall indicate that no monitoring was performed during the previous six months because the emission unit was not in operation.

The semi-annual reports are due January 30th and July 30th of each year. Data from the continuous emission and opacity monitors shall be reported to the Technical Services Branch in accordance with the requirements of 401 KAR 59:005, General Provisions, Section 3(3). All reports shall be certified by a responsible official pursuant to 401 KAR 52:020 Section 23. All deviations from permit requirements shall be clearly identified in the reports.

6.
 - a. In accordance with the provisions of 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Bowling Green Regional Office concerning startups, shutdowns, or malfunctions as follows:
 - i. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 - ii. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
 - b. As required by the material incorporated by reference by 401 KAR 52:020, Section 6; the owner or operator shall report emission related exceedances from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the Division for Air Quality's Bowling Green Regional Office within 30 days. Other deviations from permit requirements shall be included in the semiannual report required by general condition F.5.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

7. Pursuant to 401 KAR 52:020, Permits, Section 21, the permittee shall certify compliance with the terms and conditions contained in this permit, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division for Air Quality's Bowling Green Regional Office and the U.S. EPA in accordance with the following requirements:
- a. Identification of the term or condition;
 - b. Compliance status of each term or condition of the permit;
 - c. Whether compliance was continuous or intermittent;
 - d. The method used for determining the compliance status for the source, currently and over the reporting period, and
 - e. For an emissions unit that was still under construction or which has not commenced operation at the end of the 12-month period covered by the annual compliance certification, the permittee shall indicate that the unit is under construction and that compliance with any applicable requirements will be demonstrated within the timeframes specified in the permit.
 - f. The certification shall be postmarked by January 30th of each year. Annual compliance certifications should be mailed to the following addresses:

**Division for Air Quality
Bowling Green Regional Office
1508 Western Avenue
Bowling Green, KY 42104-3356**

**U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth Street
Atlanta, GA 30303-8960**

**Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601**

8. In accordance with 401 KAR 52:020, Section 22, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KYEIS emission report is mailed to the permittee.
9. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced in 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. Noncompliance shall be a violation of 401 KAR 52:020, Section (3)(1)(d) and 42 USC 7661 through 7671q (Title V of the Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, revision or denial of a permit. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 3]
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 6]
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause in accordance with 401 KAR 52:020, Section 19. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to 401 KAR 52:020, Section 12;
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affect only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish information requested by the cabinet to determine if cause exists for modifying, revoking and reissuing, or terminating the permit; or compliance with the permit. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 7,8]
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such facts or corrected information to the permitting authority. [Material incorporated by reference by 401 KAR 52:020, Section 7(1)]

SECTION G - GENERAL CONDITIONS (CONTINUED)

6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 14]
7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 4]
8. Except for requirements identified in this permit as state-origin requirements, all terms and conditions shall be enforceable by the United States Environmental Protection Agency and citizens of the United States. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 15b]
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [Material incorporated by reference by 401 KAR 52:020, Section 1a, 10]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 52:020, Section 11(3)(b)]
11. This permit shall not convey property rights or exclusive privileges. [Material incorporated by reference by 401 KAR 52:020, Section 1a, 9]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 52:020, Section 11].
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 52:020, Section 11]
15. This permit consolidates the authority of any previously issued PSD, NSR, or Synthetic minor source preconstruction permit terms and conditions for various emission units and incorporates all requirements of those existing permits into one single permit for this source
16. Permit Shield - A permit shield shall not protect the owner or operator from enforcement actions for violating an applicable requirement prior to or at the time of permit issuance. Compliance with the conditions of a permit shall be considered compliance with:
 - (a) Applicable requirements are included and specifically identified in the permit; or
 - (b) Non-applicable requirements that are expressly identified in this permit.

SECTION G - GENERAL CONDITIONS (CONTINUED)

(b) Permit Expiration and Reapplication Requirements

1. This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 52:020, Section 12(6)(a)]
2. The authority to operate granted shall cease to apply if the source fails to submit additional information requested by the division after the completeness determination has been made on any application, by whatever deadline the division sets. [401 KAR 52:030 Section 8(2)]

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of 401 KAR 52:020, Section 14(2).
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority within ten (10) days following the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

For emission points 407(Evap7) and 408(Evap8):

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction and within fifteen (15) days following start-up and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Division for Air Quality's Bowling Green Regional Office in writing, with a copy to the division's Frankfort Central Office, notification of the following:

SECTION G - GENERAL CONDITIONS (CONTINUED)

- a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.
3. Pursuant to 401 KAR 52:020, Section 3(2), unless construction is commenced within eighteen (18) months after the permit is issued, or begins but is discontinued for a period of eighteen (18) months or is not completed within a reasonable timeframe then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Upon written request, the cabinet may extend these time periods if the source shows good cause.
 4. For those affected facilities for which construction is authorized by this permit, a source shall be allowed to construct with the proposed permit. Operational or final permit approval is not granted by this permit until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055. If compliance is not demonstrated within the prescribed timeframe provided in 401 KAR 50:055, the source shall operate thereafter only for the purpose of demonstrating compliance, unless otherwise authorized by Section I of this permit or order of the cabinet.
 5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct compliance demonstration on the affected facilities in accordance with 401 KAR 50:055, General compliance requirements.
 6. Terms and conditions in this permit established pursuant to the construction authority of 401 KAR 51:017 or 401 KAR 51:052 shall not expire.

(e) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. Pursuant to 401 KAR 52:020 Section 24(1), an emergency shall constitute an affirmative defense to an action brought for the noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or relevant evidence that:

SECTION G - GENERAL CONDITIONS (CONTINUED)

- a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
 - d. Pursuant to 401 KAR 52:020, 401 KAR 50:055, and KRS 224.01-400, the permittee notified the Division as promptly as possible and submitted written notice of the emergency to the Division when emission limitations are exceeded due to an emergency. The notice shall include a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
 - e. This requirement does not relieve the source from other local, state or federal notification requirements
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement. [401 KAR 52:020, Section 24(3)]
 3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 52:020, Permits, Section 24(2)]

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 401 KAR Chapter 68, Chemical Accident Prevention, which incorporates by reference 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:

**RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346**

2. If requested, submit additional relevant information to the division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.

SECTION G - GENERAL CONDITIONS (CONTINUED)

- d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.